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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
| 09/246,784      | 02/01/99    | BROWN                | A 4156.78504        |

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EXAMINER

MCELHENY JR, D

ART UNIT

PAPER NUMBER

2862

#9

DATE MAILED: 01/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



**UNITED STATES DEPARTMENT OF COMMERCE  
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**Commissioner of Patents and Trademarks**

This communication is in response to applicant's letter received 8/30/00.

Applicant's letter references two IDS submissions, whose cited references were not cited on the issued patent, and asks that these be made of record in the instant application. These submissions were not of record in the instant application before the application issued. It appears that since applicant put on the submissions a serial number from another application and an incorrect group art unit number, that the papers were misdirected to another application file. Applicant states that these references have already been considered since they were considered in the parent application, but such is presumptuous as the parent file may have been unavailable during examination of the instant application and there is no record in the instant application of that application having been reviewed. Nevertheless the submissions have been considered and made of record. The references are not deemed as meeting the instant application's claims. Since from applicant's letter there is evidence that the submission was received by the Office in a timely manner a certificate of correction will issue with the added citations.

See attached copy of IDS PTO-1449 forms.

Donald E. McElheny, Jr.  
Primary Examiner  
Art Unit: 2862